

Bill No. 25-06  
Concerning: Procurement - Exemptions  
Revised: July 12, 2006 Draft No. 3  
Introduced: May 25, 2006  
Expires: November 25, 2007  
Enacted: July 25, 2006  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: \_\_\_\_\_  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the Request of the County Executive

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**AN ACT** to:

- (1) exempt the purchase of goods or services for certain County-sponsored recreational activities from the County procurement law;
- (2) exempt the purchase of entertainment services, including [[musical performers]] but not limited to contracts for musical performers, from the County procurement law;
- (3) provide a reporting requirement; and
- (4) generally amend the County procurement law.

By amending

Montgomery County Code  
Chapter 11B, Contracts and Procurement  
Section 11B-4

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
<b>[Single boldface brackets]</b>	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
<b>[[Double boldface brackets]]</b>	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 1. Section 11B-4 is amended as follows:**

**11B-4. Exemptions.**

(a) This Chapter, other than Article XII, does not apply to:

~~[[a)]~~ (1) a procurement made for the employees' retirement system under procedures approved by the Chief Administrative Officer;

~~[[b)]~~ (2) obtaining the services of special legal counsel under Sections 213, 108, or 410 of the Charter;

~~[[c)]~~ (3) the procurement of an independent auditor by the County Council under Section 315 of the Charter;

~~[[d)]~~ (4) obtaining the services of an impasse neutral, mediator, or fact finder under a County collective bargaining law under procedures approved by the Chief Administrative Officer;

~~[[e)]~~ (5) obtaining copyrighted material and information which is intended for use by the public in or through a public library under procedures approved by the Chief Administrative Officer; [and]

~~[[f)]~~ (6) obtaining energy commodities, such as electricity, natural gas, and compressed natural gas, under ~~[[procedures approved by]]~~ executive regulations [developed by the Chief Administrative Officer and approved by the County Council]; [and]

~~[[g)]~~ (7) ~~[[purchase of]]~~ purchasing goods or services for a County-sponsored recreational activity if the purchase is made on behalf of an identifiable group of persons who contribute funds to participate in the activity;

~~[[h)]~~ (8) obtaining entertainment services, [[ ]]including but not limited to contracts for musical [[performance) services]] performers; and

~~[[i)]~~ (9) any other procurement exempted from this Chapter by another law.

27 (b) By September 30 of each year, each using department must submit to the  
 28 Executive or a designee a report on contracts issued under subsections (a)(7)  
 29 and (a)(8) for the preceding fiscal year. By November 30 of each year, the  
 30 Executive or a designee must provide a report to the Council on the number,  
 31 type, dollar amount, and the reason for contracts awarded under subsections  
 32 (a)(7) and (a)(8) for the preceding fiscal year.

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34 *Approved:*

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George L. Leventhal, President, County Council	Date
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36 *Approved:*

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Douglas M. Duncan, County Executive	Date
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38 *This is a correct copy of Council action.*

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Linda M. Lauer, Clerk of the Council	Date
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